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From: Gregory P. Einhorn, Esq.

Date: April 22, 2004

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Comments:

ATTORNEY DOCKET: 56446-2000120
GROUP ART UNIT: 1652
EXAMINER: R. Prouty
SERIAL NO.: 09/884,889
FILING DATE: June 19, 2001
INVENTOR(S): Jay M. SHORT et al.
TITLE: CATALASES

Papers attached:

1. Response and Amendment - 29 pgs.
2. Transmittal - 1 pg.
3. Fee Transmittal - 1 pg. + 1 copy for processing
4. Petition for Extension of Time - 1 pg.
5. Declaration Under 37 CFR§1.132 w/Curriculum Vitae - 15 pgs.
6. Example 14 of the USPTO Written Description Guidelines - 3 pgs.
7. Copy of Applicants' June 23, 2003 IDS - 3 pgs.

sd-195859

PTO/SB/21 (08-03)

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TRANSMITTAL FORM

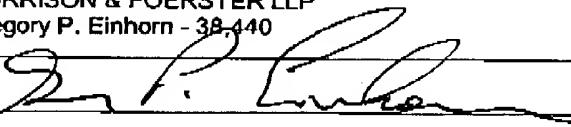
(to be used for all correspondence after initial filing)

		Application Number	09/884,889
		Filing Date	June 19, 2001
		First Named Inventor	Jay M. SHORT
		Art Unit	1652
		Examiner Name	R. Prouty
Total Number of Pages In This Submission	54	Attorney Docket Number	564462000120

ENCLOSURES (Check all that apply)

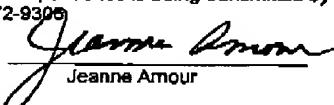
<input checked="" type="checkbox"/> Fee Transmittal Form + 1 copy	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input checked="" type="checkbox"/> Amendment/Reply – 29 pages	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter	
<input checked="" type="checkbox"/> Extension of Time Request – 1 pg.	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Declaration Under 37 CFR Section 1.132 with Curriculum Vitae - 15 pgs.; Example 14 of the USPTO Written Description Guidelines - 3 pgs.; copy of previously submitted IDS w/PTO form 1449 – 3 pgs.	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Remarks	
<input type="checkbox"/> Certified Copy of Priority Document(s)		Customer No. 25,225	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application			
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Gregory P. Einhorn - 38,440
Signature	
Date	April 22, 2004

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sd-195855

PTO/SB/17 (10-03)

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\\$) 475.00
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Complete If Known

Application Number	09/884,889
Filing Date	June 19, 2001
First Named Inventor	Jay M. SHORT
Examiner Name	R. Prouty
Art Unit	1652
Attorney Docket No.	564462000120

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

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Deposit Account Name **Morrison & Foerster LLP**

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FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description		Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	
1051 130	2051 65	Surcharge - late filing fee or oath		
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		
1053 130	1053 130	Non-English specification		
1812 2,520	1812 2,520	For filing a request for ex parte reexamination		
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		
1251 110	2251 55	Extension for reply within first month		
1252 420	2252 210	Extension for reply within second month		
1253 650	2253 475	Extension for reply within third month		475.00
1254 1,450	2254 740	Extension for reply within fourth month		
1255 2,010	2255 1,005	Extension for reply within fifth month		
1401 330	2401 165	Notice of Appeal		
1402 330	2402 165	Filing a brief in support of an appeal		
1403 290	2403 145	Request for oral hearing		
1451 1,510	1451 1,510	Petition to institute a public use proceeding		
1452 110	2452 55	Petition to revive - unavoidable		
1453 1,330	2453 665	Petition to revive - unintentional		
1501 1,330	2501 665	Utility issue fee (or reissue)		
1502 460	2502 240	Design issue fee		
1503 640	2503 320	Plant issue fee		
1460 130	1460 130	Petitions to the Commissioner		
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)		
1806 180	1806 180	Submission of Information Disclosure Stmt		
8021 40	8021 40	Recording each patient assignment per property (times number of properties)		
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(e))		
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))		
1801 770	2801 385	Request for Continued Examination (RCE)		
1802 900	1802 900	Request for expedited examination of a design application		
Other fee (specify)				
SUBTOTAL (2) (\\$) 0.00		SUBTOTAL (3) (\\$) 475.00		

** or number previously paid, # greater; For Reissues, see above

(Complete if applicable)			
Name (Print/Type)	Gregory P. Einhorn	Registration No. (Attorney/Agent)	38,440
Signature		Date	April 22, 2004

SD-195856

PTO/SB/17 (10-03)
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **475.00**

Complete if Known	
Application Number	09/884,889
Filing Date	June 19, 2001
First Named Inventor	Jay M. SHORT
Examiner Name	R. Prouty
Art Unit	1652
Attorney Docket No.	564462000120

METHOD OF PAYMENT (check all that apply)

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Deposit Account Name **Morrison & Foerster LLP**

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FEE CALCULATION (continued)

3. ADDITIONAL FEES

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Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
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1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
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1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	460	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1480	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1808	180	1808	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (unless number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
Other fee (specify)				

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 475.00

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SUBMITTED BY				
Name (Print/Type)	(Complete if applicable)			
Gregory P. Einhorn	Registration No. (Attorney/Agent) 38,440			
<i>[Signature]</i>	<i>[Signature]</i>	Telephone	(858) 720-5100	Date April 22, 2004

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SD-195856

Attorney's Docket No.: 56446-20001.20/-002006/D1100-4US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Short et al. (as amended)
Serial No. : 09/884,889
Filed : June 19, 2001
Title : CATALASES

Art Unit : 1652
Examiner : Rebecca E. Prouty, Ph.D.

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APR 22 2004

RESPONSE AND AMENDMENT

Responsive to the non-final Office Action on the merits mailed October 22, 2003, Applicants respectfully request entry of the amendments and consideration of the remarks set forth herein. The response was initially due January 22, 2004. A Petition for a three month Extension of Time is included. Accordingly, this Response is timely filed.

Amendments to the specification are on page 2 of this paper.

Amendment to the Claims are reflected in the listing of claims which begin on page 10 of this paper.

Remarks begin on page 16 of this paper.

The following documents are also enclosed herewith:

- Transmittal letter;
- Petition for 3 month extension of time;
- Fee Transmittal;
- Copy of Applicants' June 23, 2003, IDS
- Example 14 of the USPTO Written Description Guidelines;
- Rule 132 expert declaration by Dr. Jay Short, and Dr. Short's credentials

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4/22/04
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Jeanne Arbour